

Alexis Mager Lakusta,
in propria persona
1259 El Camino Real #245
Menlo Park, CA 94025
(650) 566-9971

FILED

DEC 28 2006

UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:	)	Case No.: No. 02-31521 TC
)	
ALEXIS MAGER LAKUSTA,	)	Chapter 7
)	
Debtor.)	
	)	Adv. Proc. No. 03-3549 TC
)	
ALEXIS MAGER LAKUSTA,)	
)	
Plaintiff,	)	NOTICE OF APPEAL
)	
vs.)	
)	
MARK H. EVANS, CHICAGO TITLE COM-)	
PANY, SHARON E. LAFOUNTAIN, DAVID)	
BOONE, OLD LA HONDA PROPERTIES,)	
LLC, and DOES 1 through 10 inclusive.)	
)	
Defendants)	

Alexis Mager Lakusta, Debtor and Plaintiff, hereby appeals under 28 U.S.C. section 158 (a) from ORDER DIRECTING DISMISSAL OF ACTION WITH PREJUDICE (issued by United States Bankruptcy Judge Thomas E. Carlson and entered in this Chapter 7 case on December 18, 2006). A copy of the order being appealed from is attached to this Notice of Appeal, including a copy of the Court Service List. Also being filed with this Notice of Appeal, pursuant to Federal Rules of Bankruptcy

1 Procedure, Rule 8001(e), is a separate statement of election to have this appeal
2 heard by the United States District Court.

3 The names of all parties to the order being appealed from, and the names,
4 addresses, and telephone numbers of their respective attorneys, where applicable,
5 are:

6 Aron M. Oliner, Esq.
[former counsel to Charles E. Sims, Trustee, deceased]
7 Duane Morris LLP
1 Market Plaza
8 Spear Tower, 20th Floor
San Francisco, CA 94105-1104
9 (415) 957-3104

10 Mark H. Evans and
11 Old La Honda Properties, LLC
counsel: Catherine Schlomann Robertson, Esq.
12 Pahl and Gosselin
225 West Santa Clara Street, Suite 1500
13 San Jose, CA 95113-1700
14 (408) 286-5100

15 Sharon E. La Fountain
13651 Saratoga-Sunnyvale Road
16 Saratoga, CA 95070
(408) 867-2000
17 counsel: unknown

18 Chicago Title Company
19 counsel: Kathleen J. Moorhead
Peter K. Wolff, Jr.
20 100 N. Wiget Lane, Suite 150
Walnut Creek, California 94598
21 (925) 930-9550

22 David A. Boone, Esq.
23 counsel: James Roberts, Esq.
Roberts and Elliott, LLP
24 Ten Almaden Boulevard
Suite 500
25 San Jose, CA 95113

Office of the U. S. Trustee
235 Pine Street, Suite 700
San Francisco, CA 94104
(415) 705-3333

Dated: December 18, 2006 Signed Alexis Mager Lakusta
Alexis Mager Lakusta,
in propria persona
1259 El Camino Real #245
Menlo Park, CA 94025
(650) 566-9971

GLORIA L. FRANKLIN, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



Signed and Filed: December 15, 2006

A handwritten signature of Thomas E. Carlson in black ink, written over a horizontal line.

THOMAS E. CARLSON
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re	)	Case No. 02-31521 STC
ALEXIS MAGER LAKUSTA,)	
)	
	)	Chapter 7
)	
Debtor.)	
)	
ALEXIS MAGER LAKUSTA,	)	Adv. Proc. No. 03-3549 TC
)	
)	
Plaintiff,)	
)	
vs.)	
)	
MARK H. EVANS; SHARON LA FOUNTAIN;	)	Date: December 11, 2006
and ALVIN C. SILVERNAGEL,	)	Time: 9:30 a.m.
	)	Ctrm: Hon. Thomas E. Carlson
	)	235 Pine Street
Defendants.	)	San Francisco, CA
)	

ORDER DIRECTING DISMISSAL OF ACTION WITH PREJUDICE

Upon due consideration, and for the reasons stated in the accompanying memorandum and on the record at the December 11, 2006 hearing, the court hereby enters the following order.

ORDER DIRECTING DISMISSAL
OF ACTION WITH PREJUDICE

1 (1) The above-entitled chapter 7 case is reopened for the
2 purpose of entry of this order. No filing fee shall be charged to
3 any party to reopen this case.

4 (2) The court hereby determines that the claims asserted in
5 Lakusta v. Evans, et al., San Mateo Superior Court No. CIV 454368
6 (the 2006 Action), are assets of the Lakusta bankruptcy estate that
7 were not abandoned to Mr. Lakusta upon the closing of the chapter 7
8 bankruptcy case, and that Mr. Lakusta has no interest in those
9 claims.

10 (3) Pursuant to 11 U.S.C. § 105, Aron M. Oliner is appointed
11 to act on behalf of the Lakusta bankruptcy estate with respect to
12 the 2006 Action.

13 (4) Mr. Oliner is ordered to sign and submit for filing a
14 request that the 2006 Action be dismissed with prejudice.

15 ****END OF ORDER****
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Court Service List

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